

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Secretariat Services - Non Cadre Officers in common pool – Promotion and posting of certain Assistant Secretaries to Government as Deputy Secretary to Government (Non Cadre) – Orders – Issued.

GENERAL ADMINISTRATION (SC.F) DEPARTMENT

G.O.Rt.No.5847

Dated::29-12-2011

Read the following:-

1. Interim orders of APAT in OA No.412/2011 dated 3-2-2011
2. G.O. Rt. No.3692, General Administration (SC.F) Dept., dated: 17-08-2011.
3. Orders of Hon'ble High Court of Andhra Pradesh in WP MP No. 40296 of 2011 in WP No.32425 of 2011.
4. Orders of Hon'ble High Court of Andhra Pradesh in WP MP No. 40297 of 2011 in WP No.32426 of 2011
5. Representation of Sri V. Saida, AS and others, dt.13-12-2011

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ORDER :-

Smt G.Krishnaveni and Smt V.Nirmala have filed OA No.412 of 2011 in APAT stating that they belong to backward classes and working as Assistant Secretaries to Government and the policy of providing gender based reservation based on roster meant for direct recruitment and consequential seniority is taking away their rightful chances of promotions and it is against the spirit of the provisions of Constitution and judgments of Hon'ble Supreme Court of India. The APAT vide interim orders dated 3.2.2011 ordered as follows:

"Pending disposal of the OA, the respondents are directed to give promotions based on the tentative seniority list published in Govt UO No.347/SC.F/2010-1 Gen.Admn.(SC.F)Department dated 11-11-2010 and approved panel of Assistant Secretaries to Government for the year 2010-2011, prepared for promotion to the category of Deputy Secretary to Government and direct the respondents not to promote SC/ST candidates to the category of Deputy Secretary to Government based on consequential seniority if they are adequately represented in the said category and to make promotions to Deputy Secretaries to Government to unreserved candidates and to such of SCs/ STs in the seniority list who are entitled to such promotions well within their quota in tune with Article 16(4A) of Constitution of India"

2. The panel of Assistant Secretaries to Government for promotion to the category of Deputy Secretary to Government has been prepared based on the seniority list published in UO No.347/SC.F/2010-1 General Administration (SC.F) Department dated 11-11-2010. Keeping in view of the interim orders of APAT and also as there is adequacy of representation in the category of Deputy Secretary to Government, it has been decided to effect promotion by not considering the cases of those SC / ST candidates who found place in the panel by virtue of the consequential seniority obtained in the lower categories and to set aside equal number of posts to take care of their promotions depending upon the orders of APAT.

3. Accordingly, orders were issued promoting the (16) Assistant Secretaries to Government as Deputy Secretary to Government (Non-Cadre) based on their general seniority by excluding the Reserved Candidates in the reference second above.

(P.T.O)

4. Subsequently, the Tribunal in another OA 7157/2011 dated 29.08.2011 filed by Sri S.V.V. Prasad and others, have extended the orders rendered in OA 412/2011 to higher categories also. The vacate stay petitions filed by the Government as well as Sri V.Saida and others in the above 2 O.As were dismissed by the Hon'ble A.P. Administrative Tribunal. Aggrieved by these orders, Sri V.Saida filed WP No.32425/2011 and WP No.32426/2011 challenging the orders of APAT in OA NOs. 412 and 7157 of 2011 dated 3.2.2011, 29.8.2011 and orders in Vacate Applications on 29-11-2011 respectively. The Hon'ble High Court of Andhra Pradesh in its interim orders dated 12-12-2011 in the references 3rd and 4th read above ordered as follows:

"There shall be interim suspension. Notice".

5. In the reference 5th read above, Sri V.Saida and others requested the Government to promote them as Deputy Secretaries to Government without any further delay in pursuance of the orders of Hon'ble High Court of Andhra Pradesh.

6. Government after careful examination of the matter and keeping in view the interim directions of the Hon'ble High Court of Andhra Pradesh in WP NOs.32425/2011 and 32426/2011 dated 12-12-2011 and under Rule 10(a) of the A.P. State and Subordinate Service Rules, 1996, temporarily promote the following (07) Assistant Secretaries to Government as Deputy Secretary to Government (Non-Cadre) in the scale of pay of Rs.29200-750-29950-800-32350-850-34900-900-37600-970-40510-1040-43630 -1110-46960-1200-46960-1200-51760-1300-53060/- in the Revised Pay Scale Rules, 2010, with immediate effect subject to outcome of OA Nos.412/2011, 7157/2011 and WP NOs.32425/2011 and 32426/2011. The appointment is purely temporary and they are liable to be reverted as Assistant Secretary to Government at any time without notice and without assigning any reasons therefor.

7. The above temporary promotion is on ad-hoc basis and subject to outcome of WPs/WA.s/CAs/RPs/OAs etc., if any, pending before the Tribunal / Courts and finalization of seniority in the lower categories.

8. The Assistant Secretaries to Government appointed as Deputy Secretaries to Government in para (6) above should join the post of Deputy Secretary to Government within 15 days from the date of the receipt of the order of appointment. If they fail to join the post within stipulated period of 15 days or evade to join the post by proceeding on leave, the officer's appointment shall be treated as automatically cancelled and the name of the candidate shall be deemed to have been omitted from the list of approved candidates and they shall forfeit the right of appointment for the present panel for the post of Deputy Secretary to Government in terms of G.O.Ms.No.145, GA (Services.D) Department, dt.15.6.2004.

9. The following postings are ordered:

Sl. No	Name of the Assistant Secretary to Government and Department	Posting Department on promotion as Deputy Secretary to Government
1.	Sri V. Saida, AS, Ind. & Comm. Dept.	Deputy Secretary to Government, Industries and Commerce Department
2	Sri G. Kannam Das, AS, Home Department	Deputy Secretary to Government, Home Department

3	Sri Durga Prasad Sahu, AS, I & CAD Dept	Deputy Secretary to Government, GAD (GPM&AR) Department
4	Smt. P. Suvarna Rani,AS, Genl. Admn. (AIS) Dept.	Deputy Secretary to Government, GAD (GPM&AR) Department
5	Sri K. Veeraswamy, AS, Home Dept	Deputy Secretary to Government, I&CAD Department
6	Smt. S. Koteswaramma, AS, I&CAD Dept	Deputy Secretary to Government, I&CAD Department.
7.	Smt. G. Jamuna, AS, A&C Dept	Deputy Secretary to Government, Social Welfare Department.

10. The above postings shall be counted against the IAS Cadre borne on A.P. State.

11. The Departments concerned shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI
CHIEF SECRETARY TO GOVERNMENT

To
The officers concerned.
The Departments concerned.
The Accountant General, A.P. Hyderabad.
The Pay & Accounts Officer, A.P. Hyderabad.
The Dy Pay & Accounts Officer,
Secretariat Branch, Hyderabad.
SC/SF.

// FORWARDED :: BY ORDER //

SECTION OFFICER (SC)